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Cameron Station,
Alexandria, Virginia 22304-6100

LIST OF PRIMARY ACO FUNCTIONS AND RESPONSIBILITIES

ADMINISTRATIVE CONTRACTING OFFICER

CONTRACT ADMINISTRATION SERVICES

JUNE 1986

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DEFENSE LOGISTICS AGENCY
HEADQUARTERS
CAMERON STATION
ALEXANDRIA, VIRGINIA 22304-6100

19 JUN 1986

PREFACE

This pamphlet has been prepared as an updated and revised unofficial listing of primary ACO functions and responsibilities. It is generally limited to areas in which the ACO must take action under appropriate circumstances. The listing is intended to serve as a quick reference/ review tool for ACOs and other Contract Administration personnel. Users of the listing should consult the Defense Logistics Agency Manual (DLAM) 8105.1, the Federal Acquisition Regulation (FAR), the DoD FAR Supplement (DFARS), and other regulatory media for official, detailed coverage with respect to contract administration functions.

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Colonel, USAF
Deputy Executive Director
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DISTRIBUTION:
62 (same as DLAM 8105.1 plus additional 300 ea DCASR)

This pamphlet is a complete revision of the May 1978 edition which is hereby superseded.

GLOSSARY

ACO	Administrative Contracting Officer
ADP	Automatic Data Processing
ADPE	Automatic Data Processing Equipment
ASI	Amended Shipping Instructions
B&P	Bid and Proposal
BOA	Basic Ordering Agreement
BPA	Blanket Purchase Agreement
CA	Contract Administration
CAO	Contract Administration Office
CAR	Contract Administration Report
CMA	Contract Management Alert
CASB	Cost Accounting Standards Board
D&F	Determination and Findings
DCAA	Defense Contract Audit Agency
DCAS	Defense Contract Administration Services
DCASR	Defense Contract Administration Services Region
DISAO	Designated Independent Senior Acquisition Official
DISCO	Defense Industrial Security Clearance Office
DoD	Department of Defense
DTIC	Defense Technical Information Center
HQ DLA	Headquarters Defense Logistics Agency
ILRO	Industrial Labor Relations Officer
IPE	Industrial Plant Equipment
IR&D	Independent Research and Development
IS	Industrial Specialist
J&A	Justification and Approval
OFCCP	Office of Federal Contract Compliance Programs

PA	Property Administrator
PAOC	Postaward Orientation Conference
PCO	Procuring Contracting Officer
PLCO	Plant Clearance Officer
QAR	Quality Assurance Representative
SADBU	Small and Disadvantaged Business Utilization
TCO	Termination Contracting Officer

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ACCELERATION OF DELIVERY

Forward acceleration requests to Production for processing with the contractor when such requests are processed through the CAO. Review and evaluate the contractor's proposal and furnish recommendations to the PCO. Negotiate, or negotiate and execute supplemental agreements, when delegated.

FAR 42.302(b)(3)
DLAM 8105.1 12.1

ACCESS TO SCIENTIFIC TECHNICAL INFORMATION

Reply to inquiries for specific information received by the CAO. Certify DD Form 1540, Registration for Scientific and Technical Information Services, if specifically delegated responsibility by the PCO. Forward a copy of the delegation to DTIC, ATTN: DDRA.

FAR 35.010
DFARS 35.010
DLAM 8105.1 35.010

ACCOUNTING SYSTEMS REVIEW

Request DCAA through Financial Services element to review contractor accounting systems. Request contractor to make necessary accounting system changes. Make final determination as to adequacy of accounting system. ACOs shall not make formal written approval of contractor accounting systems. Advise PCOs of status of accounting systems.

FAR 16.104(h), 32.503-3
DFARS 15.805-1(a)(72)
DLAM 8105.1 16.104, 32.592, 90.01

AUTOMATIC DATA PROCESSING EQUIPMENT (ADPE)

Advise contractor in writing that he is subject to the provisions of DFARS 70.6 and FAR 31.205-2. Review ADPE acquisition requests requiring senior ADPE Policy Official approval for completeness and provide recommendations, as appropriate, to the PCO. Conduct initial and annual review/approval when the total cost of leasing ADPE in a single plant, division, or cost center exceeds $500,000 annually and 50 percent or more of the total cost is allocated to Government contracts requiring the negotiation or determination of costs. Review/approve proposed lease of a new ADPE system or any proposed major change to an existing system. Establish suspense for receipt of contractor's documentation for initial and annual reviews. Upon receipt of documentation, request ADP technical assistance in accordance with DLAM 8105.1, paragraph 42.13-5d. Upon completion of initial and annual review of leased ADPE, consider executing an advance agreement with the contractor as evidence of the reasonableness of the requirement and related costs. When appropriate, require a check of the utilization of ADPE to determine capacity versus requirement. Assure that any excess ADPE, which was leased by the contractor under terms which provide the Government an option to purchase or provide other residual interests, is reported by the contractor to the Plant Clearance Officer (PLCO).

FAR 31.205-2
DFARS 70.6
DLAM 8105.1 42.13

ADVANCE AGREEMENTS (IR&D AND B&P)

Negotiate advance agreements on particular cost items when assigned responsibility to do so. Prepare negotiation memorandum setting forth principal elements of the ceilings negotiated. Forward a copy of the negotiation memorandum to HQ DLA, ATTN: DLA-AFO. Submit advance agreement to Board of Review prior to definitization.

FAR 31.109, 31.205-18, 42.302(a)(6)
DFARS 31.205-18
DLAM 8105.1 31.109, 90.16

ADVANCE PAYMENTS

Ensure that application for advance payments includes supporting elements outlined in FAR 32.408. Forward advance copy to PCO. Obtain analysis from DCAA and functional elements as necessary. Evaluate findings and forward with recommendations to PCO. Countersign check withdrawals from Special Bank Account. Maintain close surveillance of contractor performance and financial condition.

FAR 32.4, 42.302(a)(14), 52.232-12
DFARS 32.4
DLAM 8105.1 32.4

ALLOWABILITY OF COSTS, PUBLIC VOUCHERS

Review paid vouchers to ensure adequacy of contractor management, cost control, performance, and compliance with Limitation of Cost or Funds clauses. Review total costs upon completion of cost-reimbursement contracts and identify any excess funds that are available for deobligation. Review and approve final vouchers. Certify contractor progress for payment of fee. Determine allowability of costs suspended or disapproved on DCAA Form 1, Notice of Contract Costs Suspended and/or Disapproved, when contractor appeals in writing. Direct DCAA to issue Form 1 on costs that should be suspended or disapproved.

FAR 31, 42.302(a)(7), 42.803, 52.232-20 thru -22
DFARS 31
DLAM 8105.1 31.2

AMENDED SHIPPING INSTRUCTIONS (ASIs)

Issue amended shipping instructions when authorized by the purchasing office. When necessary, negotiate and execute supplemental agreements incorporating contractor proposals resulting from the amended shipping instructions. If not delegated authority, forward contractor proposals to PCO for contract modifications. Assure that shipments are not delayed pending completion and formalization of negotiations of revised shipping instructions. When the ACO considers it advantageous, a number of ASIs may be definitized in a single supplemental agreement.

FAR 13.503, 42.302(a)(61), 42.302(b)(5), 47.3
DFARS 13.503, 47.3
DLAM 8105.1 47.3

ANTICIPATED OR ACTUAL LATE DELIVERY OR PERFORMANCE

Take prompt action when delay in delivery or performance is anticipated. Notify PCO by letter, DD Form 375, Production Progress Report, or DLA Form 1654, (Test), Delay in Delivery or other media, with definitive recommendations developed through coordination with the cognizant Industrial Specialist. Issue Cure Notice or Show Cause Letter if directed by PCO. Forward contractor's reply or "failure to cure condition" information to PCO with appropriate recommendations. If delegated by the PCO, negotiate consideration for revised delivery schedule and execute supplemental agreement.

FAR 42.302(a)(31), 42.302(b)(3), 42.11, 49.402-3, 52.242-2
DFARS 42.11
DLAM 8105.1 42.11, 49.4

ASSIGNMENT OF CLAIMS

Receive and acknowledge receipt of notice and instrument of assignment by signing and dating all copies of the notice of assignment. Forward true copy of instrument and original of notice to contract file. Expeditiously forward two copies of the notice of assignment to the Office of Comptroller. Return one copy of notice to assignee. Advise PCO that assignment has been made. Annotate CAR.

FAR 32.8, 52.232-23
DFARS 32.8
DLAM 8105.1 32.8

AUDIT FOLLOWUP

Document agreement or disagreement with contract audit reports received. Conduct discussion as required with the auditor. Refer unresolved differences to the Designated Independent Senior Acquisition Official or Board (DISAO). Pursue timely resolutions and disposition of contract audit reports. Consider DISAO's recommendation when making independent decisions as to action deemed appropriate. Obtain supervisor's review when required.

DLAM 8105.1 90.01

BAILMENTS

Assure contractor compliance with Bailment Agreement. Review and process bailment applications and recommend action to PCO. Primary responsibility relates to assuring the contractor's receipt, maintenance, authorized utilization, and return of the bailed property.

FAR 45.310
DLAM 8105.1 45.310

BANKRUPTCY

Coordinate all actions taken by DCAS. Notify PCOs, paying activities, counsel, security office, and others of anticipated or actual bankruptcy. Monitor disposition of Government property. Consult with and provide information to counsel who will represent DCAS on legal requirements. Act as official contact with Referee or Trustee in Bankruptcy.

FAR 32.606, 32.613
DFARS 32.671, 42.302(a)(16)
DLAM 8105.1 32.671

BASIC EMERGENCY PLAN (BEP)

Ensure that high priority functions continue to be performed manually in the event of ADPE failure.

DLAM 8105.1 90.17

BASIC ORDERING AGREEMENTS (BOAs)

Administer orders under BOAs as separate contracts. When authorized, issue, negotiate, and definitize unpriced orders. Establish control register (DLA Form 1516, Unpriced Order Control Register) for unpriced orders. Issue priced orders. Obtain D&F, J&A, and appropriate synopsis documents from PCO before issuing orders. Coordinate funds with Office of Comptroller. Synopsize orders after placement in accordance with FAR/DFARS 5.3.

FAR 5.3, 16.703, 42.302(b)(2)
DFARS 5.3, 16.703
DLAM 8105.1 5.303, 16.703, 90.16-6f(3)

BOARDS OF REVIEW

Compile data and present memorandum of proposed action to Board of Review. Determine, on case-by-case basis, whether review by DCASR counsel is warranted. Provide Board with recommended actions and reasons. Document file when final actions taken are not in conformity with Board's recommendations (Board's recommendations are advisory only).

DLAM 8105.1 90.16

CERTIFICATE OF CURRENT COST OR PRICING DATA

Obtain certified cost or pricing data as soon as practicable after final negotiations conducted by the ACO regardless of who has definitization authority. Assure defective pricing cases are processed through Financial Services/PCO/DCAA/DCASR Counsel, as appropriate.

FAR 15.804
DFARS 15.804
DLAM 8105.1 15.805

CHANGE ORDERS

Issue change orders when delegated authority by the PCO. Obtain technical review of change proposals submitted by contractor. Analyze contractor's claims for adjustment resulting from change orders. When authorized to definitize change orders, ensure that sufficient funds are available prior to final price negotiations. Establish register (DLA Form 1515, Change Order Control Register) to monitor undefinitized change orders. Obtain contractor's written acceptance of no cost change orders. If required, obtain clearance from the Office of Federal Contract Compliance Programs (OFCCP).

FAR 42.302(b)(1), 43, 43.2, 52.243-1 thru -6
DFARS 43, 43.2
DLAM 8105.1 43, 43.2

CHANGES (CONSTRUCTIVE)

Receive and promptly forward to the PCO the contractor's notice of Government conduct considered to constitute a change to the contract terms and conditions. Furnish supporting facts and information to the PCO if requested. When specifically authorized by the PCO to make an equitable adjustment, modify the contract accordingly.

FAR 43.104, 52.243-7
DFARS 43.104

CONGRESSIONAL NOTIFICATION, CONTRACTUAL ACTIONS OF $3,000,000 OR MORE

Provide required information to purchasing activity five working days prior to execution of a contractual action in excess of $3,000,000. Assure receipt of clearances (indicating Congressional notification has been made) from PCO prior to awarding the particular action.

FAR 5.303
DFARS 5.303
DLAM 8105.1 5.303

CONSENT TO SUBCONTRACTS

Consent to the placement of subcontracts as provided for in the prime contract and FAR 52.244.2. Obtain, when necessary, recommendations from Financial Services, Production, DCAA, and other functional elements, in review of proposed subcontracts. Consider contractor compliance with various special requirements, e.g., advance notifications, Small Business/ Small Disadvantaged Business and Labor Surplus Area subcontracting programs, Certificate of Current Cost or Pricing Data, and Contractor Employment Compliance Certificate of Clearance, if required. Ensure flowdown of applicable clauses. Screen Consolidated List of Debarred, Suspended, and Ineligible Contractors. Advise contractor in writing of consent or refusal. If consent is withheld, notify PCO if contract performance will be affected.

FAR 42.302(a)(51), 44.2, 52.244-2
DLAM 8105.1 44.2

CONTRACT CLOSEOUT

Ensure comprehensive review of contract prior to physical completion and initiate closeout process. Prepare and distribute appropriate forms, as required, e.g., DD Form 1597, Contract Closeout Checklist, and DD Form 1593, Contract Administration Completion Record. Assure receipt and final acceptance of contractually required reports prior to contract closeout.

FAR 4.804
DFARS 4.804-1
DLAM 8105.1 4.804

CONTRACT DEBTS

Take prompt action to collect those contract debts which are not the responsibility of the Office of Comptroller or the purchasing activity to

collect. Be familiar with procedures in DLAM 7000.1, Chapter 12, and FAR and DFARS 32.6. Coordinate with the Office of Comptroller to determine current interest rate when issuing a demand letter. Report uncollectable debts to the Office of Comptroller.

FAR 32.6
DFARS 32.6
DLAM 8105.1 32.6

CONTRACT FILES

Ensure that contractual documents and correspondence are furnished to the Contract Operations File element (COF) for inclusion in official contract files. Review each contract or modification distributed by COF and forward to official contract file.

FAR 4.8
DFARS 4.8, Supplement No. 2 (ASPR)
DLAM 8105.1 4.8

CONTRACT FUNDS STATUS REPORT (CFSR)

Establish controls to ensure receipt of the CFSR within 25 days following report cutoff date. Forward an advance copy to PCO without comment. Review current CFSR and compare it to prior submissions. Submit reports selected for detailed review to the Financial Services element for analysis. Complete applicable portions of DLA Form 1069, Funds Analysis Control.

DLAM 8105.1 32.7, 90.06

CONTRACT MANAGEMENT ALERT PROGRAM

Maintain close surveillance of contracts to which Contract Management Alerts are required. Assure that problems or potential problems are immediately identified to the DCASR Production Division.

DLAM 8300.1
DLAR 8300.4

CONTRACT MODIFICATION

Issue modifications, and negotiate and execute supplemental agreements when authorized by the PCO. Maintain control register when modifications as defined in FAR 43.101 are to be definitized by the ACO. Submit modifications to Board of Review when required. Follow Congressional notification procedures for all modifications of $3,000,000 or more. Obtain OFCCP clearance if required. Ensure correct distribution of copies of contract modifications.

FAR 42.302, 43
DFARS 42.302, 43
DLAM 8105.1 43, 43.101, 43.2

CONTRACTOR APPLICATIONS FOR RELIEF UNDER PUBLIC LAW 85-804

Forward claims for relief to the PCO. Furnish supporting facts and information to the office investigating the claim when requested.

FAR 50
DFARS 50

CONTRACTOR CERTIFICATION OF REQUESTS FOR ADJUSTMENT OR RELIEF EXCEEDING $100,000

Assure that any contract claim, request for equitable adjustment to contract terms, request for relief under P.L. 85-804 or similar request is accompanied at time of submission by a properly executed certificate as defined in DFARS 52.233-7000. If certificate is not submitted, advise contractor claim will not be processed further until it is received.

FAR 33.205
DFARS 33.70, 52.233-7000
DLAM 8105.1 33.70

CONTRACTOR COST DATA REPORTING (CCDR)

Establish controls to ensure timely receipt of reports and conformance of submissions to the requirements of the contract. Forward a copy of all CCDR submissions to DCAA within three days after receipt from the contractor. Forward copies of all audit reports covering CCDR submissions, with appropriate comments, to the recipient specified in the contract or the PCO within 10 days after receipt of the audit report. Obtain assistance from other functional elements as necessary. (See DODI 7000.11).

FAR 42.302(a)(58)
DLAM 8105.1 90.07

CONTRACTOR EMPLOYEE COMPENSATION SYSTEM REVIEW (CECSR)

Notify contractor of proposed date and purpose of CECSR. Determine acceptability of compensation costs utilizing recommendations of the Compensation System Analyst. Advise contractor of the results of the CECSR and necessity of taking corrective action, when appropriate. Advise contractor that significant changes to the compensation structure made after the initial review and acceptance should be reviewed and accepted by the ACO prior to incorporation. Prepare justification for waiving a biennial CECSR on a year-to-year basis and provide to the Chief, Financial Services Division.

FAR 31.205-6, 42.302(a)(1)
DLAM 8105.1 31.205

CONTRACTOR ESTIMATING METHODS REVIEW (CEMR)

Assure that contractors use effective estimating policies, procedures, and methods in developing and submitting proposals for which the ACO has final negotiating responsibility. Arrange, through the Financial Services element and in coordination with the DCAA CEMR Auditor, for participation in the team review by DCASR representatives. The CEMR Auditor, as team leader, is responsible for survey planning, direction of work, preparation and distribution of survey reports. Suggest areas of special interest to be included in the CEMR. Coordinate on draft report.

FAR 15.811, 42.302(a)(4)
DFARS 15.811
DLAM 8105.1 15.811

CONTRACTOR IMPROVEMENT PROGRAM (CIP)

Assure as team leader of individual functional experts that a concerted effort is made to correct Government or contractor shortcomings which may result in unacceptable contractor performance. Assist the PCO in actions designed to bring the contractor up to an acceptable level of performance. Initiate debarment reports on those contractors who refuse to take necessary corrective action to resolve poor performance. As the team leader, conduct an initial meeting of the team to define the problem, determine a time-phased plan of action, and establish a means of measuring and reporting progress to higher management. Notify contractors that they have been placed in the program, and buying activities of contractors placed in the program and recommened for preaward survey.

DLAM 8105.1 90.14

CONTRACTOR INSURANCE/PENSION REVIEW (CIPR)

Identify contractors eligible for CIPRs. Determine contractor compliance with contractual insurance requirements. Request CIPR from the Insurance/Pension Specialist (I/PS) at the appropriate DCASR, or the Chief, Financial Services element for those DCASRs that do not have an I/PS. Notify contractor that a CIPR is to be conducted and request pertinent information. Provide copies of audit reports which contain pertinent insurance/pension information to the I/PS or Chief, Financial Services element.

FAR 28.3, 42.302(a)(2)
DFARS 28.3
DLAM 8105.1 28.3

CONTRACTOR PURCHASING SYSTEM REVIEW (CPSR)

Notify contractor of proposed review. Participate in initial meeting and exit conference. Participate in the CPSR Board Meeting as a nonvoting member. Transmit CPSR recommendations and report to contractor. Grant, continue, withhold or withdraw approval of the contractor's procurement system. Develop, in conjunction with Purchasing System Analyst (PSA), a plan of surveillance for contractors in the CPSR program. After initial system approval, make annual evaluation of need to perform subsequent reviews.

FAR 44.3, 42.302 (a)(50)
DFARS 44.3, Supplement No. 1 (DAR)
DLAM 8105.1 44.3

COORDINATION OF CONTRACT ADMINISTRATION

Serve as primary coordinator of CA team of functional experts. Utilize technical input provided by the team members in making professional judgements/decisions. Assure that the contractor understands that the ACO is the only CAO team member who can speak on behalf of the Government with respect to contract terms and conditions. Fully document rationale for any decisions made which may be at variance with recommendations from supporting elements.

DLAM 8105.1 90.14

CORPORATE ACO (CACO)

Perform selected contract administration functions on a corporate-wide basis. Duties and responsibilities of CACOs are set forth in DLAM 8105.1, Part 42.6. Where a CACO program has been established, ACOs cognizant of a contractor's subsidiary location may be designated in writing as Divisional ACOs (DACOs). CACO/DACO agreement will be executed to identify and specify functional responsibilities. Maintain constant coordination with DACOs.

FAR 42.6
DFARS 42.6
DLAM 8105.1 42.6

CORRECTIVE ACTION FOR CONTRACTOR'S QUALITY/INSPECTION PROBLEMS

Coordinate with QAR regarding course of action to resolve serious quality problems. Coordinate with Industrial Specialist (IS) if delivery schedule may be affected. Arrange conference with contractor and appropriate functional elements. Confirm agreements in writing to the contractor. If contractor fails to respond, forward facts with recommendation to PCO. Maintain followup with PCO to assure timely resolution of problem.

FAR 46, 42.302(a)(38)
DFARS 46
DLAM 8105.1 46.104

COST ACCOUNTING STANDARDS (CAS)

Determine adequacy of contractor's Disclosure Statements. Determine compliance of the Disclosure Statement with FAR and CASB rules, regulations and standards and with disclosed or established practices. Review and approve contractor accounting change proposals and any Disclosure Statement revisions related thereto. Determine contractor compliance with Cost Accounting Standards and Disclosure Statements, if applicable, and negotiate impact of changes or noncompliances as related to CAS-covered prime and subcontracts. Execute supplemental agreements related to prime contracts. When the total negotiation results in a gross adjustment of $100,000 or more, submit to Region Board of Review.

FAR 30, 43.302(a)(11), 52.230-3 thru -5
DFARS 30, DAR Appendix O
DLAM 8105.1 30, 90.16-6

COST PERFORMANCE REPORT (CPR)

Assist, as required, in onsite review of contractor's proposed accounting and management control systems. Ensure timely receipt of CPR. Arrange for evaluation and provide comments on CPRs unless PCO specifically indicates that a review is not desired.

DLAM 8105.1 90.8
DLAM 8400.2
DLAH 8315.1 and 8315.2

COST/SCHEDULE CONTROL SYSTEMS CRITERIA (C/SCSC)

Schedule and conduct postaward conference. Maintain liaison with DCAA and DCAS Demonstration Team members to monitor contractor's progress toward implementation. Participate in preparing surveillance agreement with procuring activity. Assure implementation of a detailed surveillance program. Evaluate changes in the contractor's management system. Assure that recurring evaluations are performed. Advise DCAA of reports requiring audit verification. Distribute all C/SCSC reports. Issue supporting delegations where C/SCSC is extended to subcontracts. Prepare, execute and distribute Memorandum of Understanding when it is anticipated that contractor will have multiple contracts subject to C/SCSC. (See DODI 7000.2, Performance Measurement for Selected Acquisition).

DFARS 34.005, 42.302(a)(41), 52.234-7000, and -7001
DLAM 8105.1 42.302

COST/SCHEDULE STATUS REPORT (C/SSR)

Provide assistance, as required, in onsite review of contractor's proposed accounting and management control systems. Ensure receipt of C/SSR within 25 days following reporting cutoff date. Arrange for evaluation and provide comments on C/SSRs unless PCO specifically indicates that a review is not desired.

DLAM 8105.1 90.08
DLAM 8400.2
DLAH 8315.3

DEBARRED, INELIGIBLE OR SUSPENDED CONTRACTORS

Screen the Consolidated List of Debarred, Suspended, and Ineligible Contractors prior to consenting to placement of subcontracts or novation or change of name agreements. Decline to consent to the subcontract if the subcontractor is on the list and advise the prime, in writing, accordingly. Decline to execute a novation or change of name agreement prior to notifying and obtaining advice from DCASR Counsel. Screen the Consolidated List when reviewing proposed changes to the contractor's make-or-buy schedule. If a proposed supplier is on the List, determine whether or not the proposed change would be in the Government's best interest and approve or deny the change accordingly, or submit recommendations to the PCO, depending on authority delegated. Upon receipt of notice of ineligibility, ensure that all PCOs with contracts with an ineligible contractor are promptly notified of the contractor's ineligibility for future contracts and requested to provide specific instructions regarding administration of existing contracts. Assure DCASR Counsel is made aware of any cause or condition which may affect a contractor's or subcontractor's present responsibility within the meaning of FAR 9.1.

FAR 9.1, 9.4
DFARS 9.4
DLAM 8105.1 9.4, 15.7, 42.12, 44.2

DEOBLIGATION OF EXCESS FUNDS

Notify PCO when it is determined that excess funds are available. When authorized, negotiate or negotiate and execute supplemental agreement deobligating excess funds.

FAR 42.302(b)(4)
DLAM 8105.1 32.7, 43.103

DEVIATIONS FROM FAR, DFARS, DOD DIRECTIVE OR DLAM 8105.1

Request deviations when they are in the best interest of the Government. All requests for deviation from FAR, DFARS, or DoD Directive will be submitted, with full justification, through command channels to HQ DLA, ATTN: DLA-AC. Submit one-time deviation from DLAM 8105.1 to the DCASR, Director of Contract Management for approval. Requests for deviations from DLAM 8105.1 which affect more than one contract or transaction will be submitted in duplicate to HQ DLA, ATTN: DLA-AC.

FAR 1.4, 42.302(a)(47)
DFARS 1.4
DLAM 8105.1 1.4

DIMINISHING MANUFACTURING SOURCES AND MATERIAL SHORTAGES (DMSMS) PROGRAM

Advise all affected PCOs of any information provided by the IS or QAR with respect to the DMSMS program. Forward reports prepared by the IS to the PCO.

DLAM 8105.1 90.19

DISPUTES AND APPEALS

Prepare written final decision pursuant to the Disputes clause and the Contract Disputes Act of 1978 (CDA) on matters in which the CAO has the authority to take definitive action. Deliver to contractor by certified mail, return receipt requested or any other method that provides evidence of receipt. Assure claims over $50,000 include the contractor certification required by the CDA. Immediately upon receiving notice of an appeal, forward it to DCASR Counsel. Coordinate all actions with DCASR Counsel.

FAR 33, 42.302(a)(10), 52.233-1
DFARS 33
DLAM 8105.1 33

DUTY AND CUSTOMS

Assure contractor compliance with Duty-Free Entry clauses, particularly the requirement for advance notification of foreign purchases. Promptly forward such notifications to DCASR New York. Assure prime contractors include substance of appropriate Duty-Free Entry clause(s) in subcontracts. Promptly respond to any inquiries generated by DCASR New York's automated system. When requested, verify status of imported supplies already received. Upon receipt of import documents from DCASR New York, review them to assure imported supplies are in accordance with the contract.

FAR 25.6, 42.302(a)(19), 52.225-10
DFARS 25.6, 42.302(a)(74), 52.225-7008, and -7014
DLAM 8105.1 25.6

ECONOMIC PRICE ADJUSTMENT (EPA) CLAUSES

Review and verify, in coordination with the Office of Comptroller and the Financial Services element, selected contractor certifications to assure compliance with the appropriate EPA clause. Evaluate EPA proposals submitted by the contractor and verify applicable price adjustments. Verify, at contract completion, the contractor's certification that all price decreases have been applied. When authorized, negotiate and definitize contract price adjustments resulting from exercise of an EPA clause.

FAR 16.203, 42.302(b)(7), 52.216-2 thru -4
DFARS 16.2, 52.216-7000, and -7001
DLAM 8105.1 16.203

ENGINEERING CHANGE PROPOSALS (ECPs)

Forward Class I ECPs to PCO together with the required technical evaluation, analyses and recommendations. Forward Class II ECPs, along with the QAR recommendation to the PCO for approval unless approval authority has been delegated to the CAO. The QAR will approve/ disapprove Class II ECPs if authority is delegated.

DFARS 43.205, 52.243-7000, and -7001
DLAM 8105.1 43.2-6

ENVIRONMENTAL PROTECTION

Conduct PAOC if necessary. Report violations of the Clean Air and Federal Water Pollution Control Act to the PCO. Assure contractor includes substance of the provisions of FAR clause 52.223-2 in nonexempt subcontracts.

FAR 23.1, 52.223-1, and -2
DLAM 8105.1 23.1

EQUAL EMPLOYMENT OPPORTUNITY (EEO) PROGRAM

Determine, in coordination with the OFCCP, whether contractor is in compliance with the EEO program prior to issuing order in excess of $1,000,000. Obtain Certificate of Clearance from the OFCCP regional office prior to consenting to placement of a subcontract of $1,000,000 or more.

FAR 22.8, 52.222-26
DFARS 22.8
DLAM 8105.1 16.703, 22.101, 43.2, 44.3

FACILITIES CONTRACTS

Evaluate contractor requests for Government facilities or changes in facilities in coordination with Production and forward, with recommendations, to PCO. Assure proper acquisition or retention of IPE. Execute rental agreement if required. Forward rental payment checks to the Office of Comptroller immediately upon receipt. Certify accuracy of rental payment. Periodically review facilities contracts (see paragraph 45.4-14, DLAM 8105.1 for checklist).

FAR 42-302(a)(30), 45.302, 52.245-9
DFARS 45.302
DLAM 8105.1 45.4

FACILITIES LEASES

Review and evaluate contractor lease requests in coordination with the Financial Services, Production, and Industrial Property Management elements. Submit requests, together with recommendations, to PCO. Assure compliance with the provisions of facilities leases.

DLAM 8105.1 45.3
DLAM 8300.1 5-200, 5-400

FINANCIAL INFORMATION AND ANALYSIS

Obtain advice from the Financial Services element on extent and types of financial assistance required by contractors. Make appropriate recommendations to the PCO on financial assistance requirement of contractors.

FAR 32.108, 32.503-2
DFARS 32.173, 32.174
DLAM 8105.1 32.173, 32.4

FIRST ARTICLE APPROVAL

Advise consignee of the contractual requirement for first article approval. Distribute approval, conditional approval, disapproval letters received from the PCO. Assure CAR is revised to reflect payment limitation in accordance with First Article Approval clause.

FAR 9.3, 52.209-3 and -4
DFARS 9.3
DLAM 8105.1 9.3, 32.592

FORWARD PRICING RATES AND PRICING FORMULAS

Establish (execute) agreements with contractors for use of negotiated forward pricing rates and pricing formulas. Invite interested procurement activities to attend negotiations. Obtain recommendations from Board of Review before executing the agreement.

FAR 15.809, 42.302(a)(5)
DFARS 15.809
DLAM 8105.1 15.809

FUNDS CONTROL

Establish controls and maintain records to provide visibility of the status of bulk fund commitments when delegated ordering authority under BOAs, maintenance, overhaul and repair contracts and contracts with provisioning requirements. Establish and maintain, as applicable, control registers such as DLA Forms 1514, Provisioned Items Order Register, 1515, Change Order Control Register, and 1516, Unpriced Order Control Register. Be alert for possible insufficient or excess funds. Notify PCO, as appropriate, and, if delegated, take action to deobligate excess funds.

DLAM 8105.1 16.703, 17.74, 90.03

GOVERNMENT PROPERTY

Assure, in coordination with the Property Administrator (PA), that contractor use of Government property is in accordance with DoD policy and applicable regulations. Execute rental agreement when required. Assure that screening for availability of Government ADPE and IPE is accomplished through appropriate approving channels prior to purchase by the contractor. Be cognizant of Utilization Surveys performed. Process DD Form 1651, Industrial Equipment Modernization Program - Post Analysis Report. Upon advice of PA, prepare and distribute notification of withdrawal of approval of property control system.

FAR 42.302(a)26, 45
DFARS 45.4, Supplement No. 3 (ASPR)
DLAM 8105.1 45.4, 45.5, 45.605

GOVERNMENT TITLE

Maintain surveillance of contractor's financial situation on contracts with progress payments to ensure that the Government's title to progress payment inventory is sufficiently protected. Obtain subordination agreements if necessary.

FAR 32.503-14, -15, -16
DLAM 8105.1 32.595

GUARANTEED MAXIMUM SHIPPING WEIGHTS AND DIMENSIONS

Resolve disagreements between the contractor and the Office of Comptroller with respect to contract price deductions pursuant to the Guaranteed Maximum Shipping Weights and Dimensions clause.

FAR 47.305-16, 52.247-60
DLAM 8105.1 47

GUARANTY AND SUBORDINATION AGREEMENTS (PREAWARD)

Acknowledge and distribute executed Guaranty and Subordination Agreements upon notice of contract award. Notify PCO if such Guaranty or Subordination Agreement is terminated. Remind PCO of existing agreements that support contracts being terminated for default.

DLAM 8105.1 9.1

INCENTIVE CONTRACTS

Develop working knowledge of the concepts of incentive contract administration. Establish method to assure receipt of information and advice from team members and other sources on a regular basis. Provide recommendations to PCO when adverse situations develop regarding incentive features. Establish controls to ensure timely receipt of data required by incentive provisions. Take action, as required, regarding price adjustments and funding surveillance.

FAR 16.4, 42.302(a)(15), (16), (17)
DFARS 16.4
DLAM 8105.1 16.4, 32.7, 90.06

INDEFINITE DELIVERY TYPE CONTRACTS

Ensure that functional elements and contractor have common understanding of scope of work and contract provisions. Coordinate with the Office of Comptroller on funds control. Establish order control register when authorized to issue unpriced orders. Obtain pricing support, negotiate, and definitize orders when authorized.

FAR 16.5
DFARS 16.5
DLAM 8105.1 16.703

JEWEL BEARINGS (REQUIRED SOURCE)

Consider postaward orientation on contracts which contain the Required Source for Jewel Bearings and Related Items clause. Establish controls to ensure verification of contractor compliance and appropriate flowdown of the clause to subcontracts. Review contractor/subcontractor requests for waiver and advise PCO of action taken.

FAR 8.2, 52.208-1, and -2
DLAM 8105.1 8.2, 42.5

LABOR RELATIONS

Notify the Industrial Labor Relations Officer (ILRO) upon receipt of any contract or subcontract which contains labor standards provisions. Rely on the ILRO to take action, as necessary, to assure contractor compliance with contract labor standards. Assure contract file is documented with evidence of actions completed by the ILRO.

FAR 22.101, 42.302(a)(34)
DFARS 22.101
DLAM 8105.1 22.101

LETTER CONTRACTS

Establish controls to monitor and assure compliance with definitization schedule. Report delays or anticipated delays to PCO. Monitor contractor expenditures. Advise PCO immediately upon receipt of contractor's proposal.

FAR 16.603
DFARS 16.603
DLAM 8105.1 16.603

LIMITATION OF COST OR FUNDS

Ensure receipt of required contractor notices of funding status. Forward advance copy to PCO. Request Financial Services element to evaluate notice. Prepare DLA Form 1069, Funds Analysis Control. Promptly notify PCO of excess funds eligible for deobligation.

FAR 32.7, 42.302(a)(17)
DFARS 32.7
DLAM 8105.1 32.7

LIQUIDATED DAMAGES

Ensure close surveillance of and proper priority for contracts with the Liquidated Damages provision. Ensure that all correspondence/ documents pertinent to the provision are forwarded to the official file by functional elements via the ACO. Evaluate invoices covering delinquent shipments prior to payment. Determine PCO's position on approval of payment or assessment of damages when delinquencies occur. Pending PCO's decision, authorize payment (less amount in question) and submit copy of authorization to PCO with recommendations. Follow up with PCO and others as necessary to complete action.

FAR 12.2, 52.212-4
DLAM 8105.1 12.2

LOSS, DAMAGE OR DESTRUCTION OF GOVERNMENT PROPERTY

Assure that credit accrues to the Government as a result of credit memorandum or other adjusting documents issued by the PA. Review cases where contractor is to be held liable and furnish the contractor and PA with copies of the determination. Furnish the disbursing officer copies of written requests for (demand) payment issued to contractors.

FAR 45.5
DFARS 45.5, Supplement No. 3 (ASPR)
DLAM 8105.1 45.5

MAINTAINING LIAISON WITH PCO/PROGRAM MANAGER

Assist in preaward phase of procurement action, as requested. Inform PCO when newly assigned contracts contain outdated clauses or are not prepared in compliance with FAR/DFARS. Keep PCO advised of contract status and potential major problem areas. Obtain approval from HQ DLA before agreeing to any special Memorandum of Understanding with project managers or buying offices.

DLAM 8105.1 90.13

MAINTENANCE, OVERHAUL AND REPAIR CONTRACTS

Perform thorough review of contract requirements. Maintain close coordination with other functional elements. When authorized to issue, price, negotiate or definitize orders, establish controls to provide visibility of status of these orders. Establish system for work request review. Conduct regular program status meetings when required. Prepare and distribute minutes of the meetings to all attendees.

FAR 42.302(a)(21)
DLAM 8105.1 90.03

MAKE-OR-BUY (MOB) PROGRAMS

Assure contractor compliance with MOB schedules. Assure contractor establishment of programs that provide for submission of proposed changes. When authorized by PCO, consent to or deny requested changes. When authorized, negotiate and execute contract modifications resulting from changes to the MOB programs (including price revisions). Ensure subcontracts are consistent with prime's MOB program prior to consent.

FAR 15.7
DFARS 15.7
DLAM 8105.1 15.7

MATERIAL DEFICIENCY REPORTS (MDRs)/QUALITY DEFICIENCY REPORTS (QDRs)

Assist the QAR in the resolution of deficiency reports. Coordinate with other functional elements, including Counsel, to obtain and evaluate information and recommend or take appropriate action with respect to uncorrected deficiencies and/or warranty remedies (See DLAR 8260.2).

FAR 46
DFARS 46
DLAM 8105.1 46

MONITOR CONTRACTORS' COSTS

Establish and maintain Cost Monitoring Programs (CMPs) with contractors meeting certain qualifications. Advise the contractor of the Government's intention to initiate a CMP. Serve as leader of the DLA cost monitoring team and perform the functions identified in DLAM 8105.1, paragraph 42.70-5.

FAR 42.302(a)(8), 42.801
DFARS 42.70
DLAM 8105.1 42.70

MULTIYEAR PROCUREMENT (CANCELLATIONS)

Refer cancelled multiyear contract to Termination element for negotiation and settlement of claims.

FAR 17.1, 42.302(a)(24)
DFARS 17.103-70
DLAM 8105.1 17.1

NASA NEW TECHNOLOGY CLAUSE

Assure contractor is aware of requirements of clause. Arrange for review of contractor's implementation plan by the Engineering element. Advise PCO or designated Technology Utilization Officer if contractor is not complying with his New Technology plan.

DLAM 8105.1 90.04

NONCONFORMING SUPPLIES AND SERVICES

Submit Type I nonconformance requests to PCO along with comments and recommendations. Negotiate contract price adjustments and issue contract modifications required by acceptance of Type II nonconformances by the QAR.

FAR 46
DFARS 46
DLAM 8105.1 46

NOTICE OF INTENT TO DISALLOW OR NOT RECOGNIZE COSTS

Issue a Notice of Intent to Disallow or Not Recognize Costs when deemed appropriate. Coordinate with the Regional Cost Monitoring Specialist and the auditor prior to issuing notice. Within 60 days receipt of contractor's written response to the notice, either withdraw or modify the notification in writing or issue a final decision pursuant to the Disputes clause in the contract. When required, submit appropriate documentation for Board of Review action.

FAR 42.302(a)(8), 42.801
DFARS 42.801
DLAM 8105.1 42.801, 90.16

NOVATION AND CHANGE OF NAME AGREEMENTS

Develop, process, and execute agreements on a priority basis. Obtain DCASR Counsel review of all agreements prior to execution. Obtain approval from appropriate Departments/Agencies prior to executing a novation agreement. Distribute executed agreements in accordance with FAR and DFARS. Prepare and distribute required administrative change (SF 30, Amendment of Solicitation/Modification of Contract).

FAR 42.12, 42.302(a)(25)
DFARS 42.12
DLAM 8105.1 42.12

OVERTIME

Perform periodic reviews of contractor's use of approved overtime. Prepare report of each review for contract file. Forward contractor requests for additional overtime or premium approval to PCO together with a factual analysis and appropriate recommendation.

FAR 22.103, 52.222-2
DFARS 22.103
DLAM 8105.1 22.103

PACKING, CRATING, AND HANDLING (PC&H) SERVICES

Issue contract modification incorporating funds for PC&H services on excess Government property if required. When determined to be in the Government's best interest, contract for such services with a vendor other than the contractor in possession of the property. Submit proposed contracts of $30,000 or more to the Board of Review. Distribute contracts in accordance with FAR 4.2 and DFARS 4.202. Prepare and distribute DD Form 350, Individual Procurement Action Report, if the contract is in excess of $25,000. For contracts less than $25,000 forward a copy of the contract marked "For MonthlyProcurement Summary Report" to the DCASR Directorate of Command Support.

FAR 42.302(a)(29), 45.608-7
DFARS 4.202
DLAM 8105.1 45.608, 90.16

PATENTS

Assure contractor compliance with the invention disclosure and reporting provisions of the Patent Rights clauses. Assist PCO/Patent Counsel as requested. Assure receipt of patent clearance prior to authorizing final payment. Forward royalty information to the PCO/ Patent Counsel.

FAR 27.2, 27.3
DFARS 27.3
DLAM 8105.1 27

POSTAWARD ORIENTATION OF CONTRACTORS

Determine extent and method of postaward orientation required. Complete DLA Form 1533, Postaward Orientation Determination. Conduct required postaward orientation, i.e., formal or limited conference or postaward letter/telephone call.

FAR 42.302(a)(3), 42.5
DFARS 42.5
DLAM 8105.1 42.5

PREAWARD SURVEYS

Provide any known information, which could impact on the evaluation of the offeror, to the preaward survey monitor. Arrange for DCAA accounting systems reviews when required. Assure close surveillance of contractors who are awarded contracts subsequent to a negative preaward survey.

FAR 9.1
DFARS 9.105, 9.106
DLAM 8105.1 9.1, 16.104-4

PRECISION COMPONENTS FOR MECHANICAL TIME DEVICES

Establish controls and perform periodic checks of contractor records to ensure contractor/subcontractor compliance with procedures governing the purchase/supply of precision components. Serve as a focal point for the CAO for all actions relating to the clause.

DFARS 8.74, 52.208-7001
DLAM 8105.1 8.2

PRICE/COST ANALYSIS

Request pricing assistance from the Financial Services element as required by DLAM 8105.1, Part 15.805. Perform price analysis on proposals when pricing assistance is not required. Advise PCO of anticipated date of the completed report. Review the pricing report for content and accuracy and transmit to the PCO.

FAR 15.8
DFARS 15.8
DLAM 8105.1 15.805

PROGRESS PAYMENTS

Verify that the contractor's accounting system is adequate. Review and approve progress payment requests. Ensure that progress payment requests conform to the terms and requirements of the contract which impact on progress payments (e.g., progress payment rates, liquidation rates, presence of Foreign Military Sales provisions, first article requirements, etc.). Reduce or suspend progress payments if necessary. Obtain subordination agreements if necessary to protect Government's interest in progress payment inventory. Forward Reports of Adverse Developments to the Production element, PCO, DCASR, HQ DLA, and the Contract Finance Office of the Department or Agency concerned.

FAR 32.5 42.302(a)(12)
DFARS 32.5
DLAM 8105.1 32.590 thru 32.594

PROVISIONED ITEMS

Assure contractor's progress during the provisioning cycle is monitored. Issue Provisioned Items Orders and obligate funds as delegated. Negotiate and definitize unpriced Provisioned Items Orders. Maintain control register. Process changes to Provisioned Items as directed.

DFARS 15.8, 17.74
DLAM 8105.1 17.74

RADIOACTIVE MATERIALS

Assure, if so delegated, that appropriate licenses are obtained or safeguards are taken upon receipt of contractor's notice of radioactive materials. Take actions to ensure that applicable deliveries are clearly marked and labeled as required, especially where inspection is at destination. Forward contractor's notice to the using activity to alert it to the hazards involved.

DFARS 23.303, 52.223-7000

REASSIGNMENT OF CONTRACT ADMINISTRATION/DISBURSING RESPONSIBILITIES TO ANOTHER CAO

Issue a unilateral contract modification to reassign contracts which are either incorrectly assigned or transferred. Issue modification for change in place of manufacture if authorized by PCO. Assure contract files are forwarded to new CAO along with brief summary of actions of which new ACO should be immediately aware.

FAR 42.206
DFARS 42.205
DLAM 8105.1 42.206

RIGHTS IN TECHNICAL OR OTHER DATA AND COPYRIGHTS

Determine appropriate action upon receipt of information from the QAR/IS or the Systems and Engineering element that compliance with contractual requirements pertinent to technical data is unsatisfactory.

Withhold payment if warranted. Conduct periodic review of contractor's written procedures for the use of restrictive markings on technical data. Submit written inquiry to the contractor if technical data is received with unauthorized or improper restrictive markings. If contractor is not complying with the procedures governing restrictive markings, take corrective action as specified in DFARS 52.227-7018.

FAR 27.4, 42.302(a)(48)
DFARS 27.4, 52.227-7013, thru 7037
DLAM 8105.1 27.4

SAFETY PRECAUTIONS

Assure contractor compliance with contractual provisions pertaining to ammunition, explosions and other dangerous/hazardous material. Rely upon technical expertise of the Specialized Safety Office on all safety matters. Review and process safety reports. Advise Specialized Safety Office of actions taken.

FAR 23.3, 52.223-3
DFARS 23.3, 28.71, 52.223-7000, 52.228-7007
DLAM 8105.1 23.3

SECURITY REQUIREMENTS

Maintain close coordination with Industrial Security Staff Specialists when administering classified contracts. Approve and sign DD Form 254, Contract Security Classification Specification for Classified Subcontracts. Perform security-related functions as outlined in DoD 5220.22-R, Industrial Security Regulation.

FAR 4.4, 52.204-1 and -2, 53.204-1
DFARS 42.302(a)(73)
DLAM 8105.1 4.4

SERVICE CONTRACT ACT OF 1965

Assure compliance with the reporting requirements under the Service Contract Act clauses when issuing orders under BOAs or BPAs which contain such clauses.

DAR XII, Part 10

SHOULD COST REVIEWS

Assist the Should Cost team in the review planning stage by providing comments relative to contractors' known strengths and weaknesses. Advise the team during the course of the review. Coordinate the efforts of DCAS elements involved in the review. Coordinate DCAS efforts in monitoring a contract resulting from the review. Advise the procuring activity of significant developments in contractor performance relative to contractually-imposed review objectives. Participate on review teams if assigned.

FAR 15.810
DFARS 15.810
DLAM 8105.1 15.810

SMALL BUSINESS, LABOR SURPLUS, SMALL DISADVANTAGED BUSINESS REQUIREMENTS

Conduct postaward orientation for all new small business/small disadvantaged business contractors who have been awarded their first Government contract. Rely on the Small and Disadvantaged Business Utilization (SADBU) Specialist to maintain surveillance and conduct periodic reviews of contractors who must comply with subcontracting program clauses pertaining to small business, labor surplus area, or small disadvantaged business concerns. Furnish PCOs with copies of reports furnished by the SADBU Specialist which cite deficiencies in a contractor's subcontracting program. Maintain frequent liaison with Section 8(a) Small Business Administration subcontractors.

FAR 19.7, 19.8, 42.302(a)(52) thru (55)
DFARS 19.2, 19.5, 19.7
DLAM 8105.1 19

SPECIAL TEST EQUIPMENT

Review contractor's notice of intent to acquire or fabricate items of special test equipment. Ascertain whether Government-owned property can be furnished in lieu thereof. Resolve any funding problems with the PCO. Notify contractor of approval/disapproval of the proposed acquisition or fabrication, or that the equipment will be furnished by the Government.

FAR 42.302(a)(27), 45.3, 52.245-18
DFARS 45.403
DLAM 8105.1 45.4

SPECIAL TOOLING

Determine contractor's ability to discharge his obligations under the Special Tooling clause. If the contractor's procedures, records, or controls are inadequate, advise the contractor of the deficiencies and obtain corrective action. Acquire initial tooling list if specified in contract or requested by PCO and forward to PCO. Obtain final tooling list and forward to PCO. Assure proper disposition of special tooling prior to contract closeout.

FAR 45.3, 45.6
DFARS 45.306
DLAM 8105.1 45.306

SUPPLEMENTAL AGREEMENTS

Negotiate and execute supplemental agreements when authorized by the PCO, contract or FAR/DFARS 42.302 for actions such as definitized change orders, negotiated overhead rates, revised delivery schedules, provisioning orders, orders under BOAs, etc. Set forth in negotiation memorandum, all terms of the supplemental agreement. Coordinate with DCASR Counsel when nonstandard contractual provisions are included in the supplemental agreement. Obtain the recommendation of the DCASR Board of Review prior to execution of the supplemental agreement. Include the change or impact on unit price/cost, quantity, appropriation data, and delivery schedule in the modification. Assure obligation or deobligation of funds information is identified to the funding activity.

FAR 42.302, 43
DFARS 43
DLAM 8105.1 43.103

SUPPORTING CONTRACT ADMINISTRATION

Consider value, complexity, type of contract, and importance of work allocated to other locations when determining need for supporting administration. Transmit consolidated delegation letter to the supporting CAO with sufficient copies of contractual documents and other pertinent data. Notify the prime contractor of functions being delegated. Ensure that performance information is received from supporting CAO. Advise prime ACO of deficiencies or unsatisfactory conditions noted while performing supporting administration. Maintain communication between requesting/supporting ACO. Process overseas delegations in accordance with DLAM 8105.1, 42.204-6.

FAR 42.204
DFARS 42.204
DLAM 8105.1 42.204

TAXES

Consult with DCASR Counsel in resolving tax problems. Refer matters requiring negotiation with tax authorities to the PCO. Evaluate proposed price adjustments to fixed-price contracts resulting from tax changes and forward recommendations to the PCO. Determine allowability of taxes in cost-reimbursement type contracts. In the event of lost or destroyed shipments, assure appropriate adjustments to reflect reduction in articles subject to excise tax exemption. Coordinate receipt and return of alcohol tax certificates through DCASR New York.

FAR 29, 42.302(a)(18)
DFARS 29
DLAM 8105.1 29

TERMINATION FOR CONVENIENCE

Notify the DCASR TCO by telephone immediately upon receipt of a termination for convenience notice. Provide copies of the notice to the Office of Comptroller, the regional Contract Employment Compliance activity and the TCO. Assure appropriate closeout actions upon complete termination of a contract.

FAR 49
DFARS 49
DLAM 8105.1 4.804-9

TERMINATION FOR DEFAULT

Take action under contracts terminated for default only in response to, and in support of, the PCO. Advise all functional elements concerned of the termination and forward to the PCO any information with respect to actions required to protect the Government's interest. Notify CAOs involved in supporting administration. Assure all required actions are complete prior to closeout.

FAR 49.4
DFARS 49.402
DLAM 8105.1 4.804-9, 49.4

TRAVEL BY CONTRACTOR PERSONNEL OUTSIDE CONUS

Approve requests for overseas travel. Obtain PCO approval when not provided in contract. Obtain DISCO personnel security clearance verification when visit involves disclosure of classified information. Obtain approval for visit from the U.S. overseas activity to be visited. Assure that the travel is necessary to contract performance. Forward the original DLA Form 437, Request for Authorization for Overseas Travel - Contractor Personnel to Transportation Operations element for completion of travel arrangements.

DLAM 8105.1 90.02

UNSATISFACTORY PROPERTY CONTROL SYSTEMS

Notify the contractor in writing of changes required to correct property control system deficiencies and establish a schedule for completion of corrective actions. Advise that failure to correct deficiencies as specified could result in the withholding or withdrawal of system approval and subsequent increase in contractor liability for loss or damage. Provide written notice of final determination as appropriate.

FAR 45.5
DLAM 8105.1 45.4, 45.5

VALUE ENGINEERING CHANGE PROPOSALS (VECPs)

Request technical review of VECP from Systems and Engineering element and forward with comments to the PCO. If required, follow up with PCO after coordination with the Systems and Engineering element. Forward copy of PCO's approval or disapproval of VECP to Systems and Engineering element. When requested by the PCO, obtain a review and evaluation from the Financial Services element. Analyze review and evaluation and furnish comments and recommendations to the PCO.

FAR 42.302(a)(49), 48
DLAM 8105.1 48

VARIATION IN QUANTITY CLAUSE

Request additional shipping instructions from the procuring activity if required as a result of a permitted variation. Coordinate with the PCO regarding acceptability of a variation which is more or less than that permitted by the contract. Ensure appropriate notices to the contractor as well as contractual modifications/adjustments to reflect the desires of the PCO.

FAR 12.4, 52.212-9 thru -11
DFARS 12.4
DLAM 8105.1 12.4

VOLUNTARY REFUNDS

Forward voluntary refund checks received from contractors immediately to the Disbursing Officer making payments for the contract and request acknowledgement of receipt. If possible, provide the information required by DFARS 42.7100(b). Forward recommendations to solicit voluntary refunds to HQ DLA, Executive Director, Contract Management, for his decision.

DFARS 42.71, 42.7102(b)
DLAM 8105.1 42.71

WALSH-HEALEY PUBLIC CONTRACTS ACT

Ensure that contractors subject to the Act are furnished the prescribed poster (W.H. Publication 1313, Notice to Employees Working on Government Contracts). Forward reports of alleged violations involving safety of the type foreseen by the Act to the cognizant Occupational Safety and Health Administration (OSHA) Area Director.

FAR 22.6
DFARS 22.6
DLAM 8105.1 22.6

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